

ENTERED

November 22, 2019

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

UNITED STATES OF AMERICA	§	
	§	
VS.	§	CRIMINAL NO. 2:19-CR-1615-2
	§	2:19-CR-1615-3
CARLOS MATA &	§	
MICHELLE ESTRADA		

OPINION AND ORDER GRANTING MOTIONS FOR CONTINUANCE

On November 19, 2019, Defendants Mata and Estrada moved for a continuance of the final pretrial conference and jury selection and trial (D.E. 46, 47). Defendant Mata's counsel was only appointed this week and Defendant Estrada's counsel had not yet had finished reviewing discovery and talking to his client (*Id.*). The United States was unopposed to the motions.

Under the Speedy Trial Act, a district court may grant a continuance and exclude the resulting delay from the time in which a trial must commence if it makes on-the-record findings that the ends of justice served by granting the continuance outweigh the public's and defendant's interests in a speedy trial. 18 U.S.C. § 3161(h)(7).

Having considered the Defendant's motion, the Court finds that the failure to grant a continuance in this case would deny counsel for the defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

Accordingly, the Court finds that the ends of justice are served by granting a continuance in this case and outweigh the best interests of the public and Defendant in a speedy trial, and the period of the continuance is excluded from speedy trial computation.

The Court **GRANTS** the Defendants' motions (D.E. 46, 47) and **CONTINUES** the final pretrial conference until **January 3, 2020, at 9:00 a.m.** before undersigned and schedules the jury selection and trial for **January 13, 2020, at 8:30 a.m.** before Hon. David S. Morales. If the case will be tried, counsel should notify Judge Morales's case manager, and the case will be reset to **January 9, 2020, at 10:30 a.m.** for final pretrial conference before **Hon. David Morales.**

ORDERED this 22nd day of November, 2019.


B. JANICE ELLINGTON
UNITED STATES MAGISTRATE JUDGE